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CITY OF LODI COUNCIL COMMUNICATION

AGENDA TITLE: Adopt Resolution Approving the Improvement Agreement and Water Rights Agreement for 847 North Cluff Avenue

MEETING DATE: July 7, 2004

PREPARED BY: Public Works Director

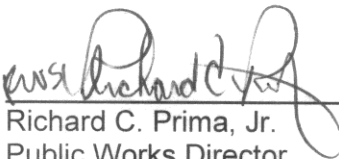
RECOMMENDED ACTION: That the City Council adopt a resolution approving the improvement agreement and water rights agreement for 847 North Cluff Avenue and direct the City Manager and City Clerk to execute the agreements on behalf of the City.

BACKGROUND INFORMATION: This project is located at the southwest corner of Turner Road and Cluff Avenue, as shown on Exhibit A. The project is zoned M-2 and consists of five subdivided lots.

In order to assist the City in providing an adequate water supply, the subject property is required as a condition of tentative map approval to enter into an agreement with the City that the City of Lodi be appointed as its agent for the exercise of any and all overlying water rights appurtenant to the proposed 847 North Cluff Avenue project, and that the City may charge fees for the delivery of such water in accordance with City rate policies. The agreement establishes conditions and covenants running with the land for all lots in the project and provides deed provisions to be included in each conveyance.

The developer of the project (Bedrock C & B Ptp. and Central Valley Bulk Transport, Inc.) has furnished the City with the improvement plans, necessary agreements, guarantees, insurance certificates, and fees for the proposed project.

FUNDING: Developer's funds


Richard C. Prima, Jr.
Public Works Director

Prepared by Lyman Chang, Associate Civil Engineer

RCP/LC/pmf

Attachment

cc: Bedrock C & B Ptp.
Senior Civil Engineer Fujitani
Associate Civil Engineer Chang

APPROVED:


H. Dixon Flynn, City Manager

RESOLUTION NO. 2004-130

A RESOLUTION OF THE LODI CITY COUNCIL
APPROVING THE IMPROVEMENT AGREEMENT AND
WATER RIGHTS AGREEMENT FOR 847 NORTH CLUFF
AVENUE AND FURTHER AUTHORIZING THE CITY
MANAGER TO EXECUTE AGREEMENTS ON BEHALF
OF THE CITY OF LODI

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NOW, THEREFORE, BE IT RESOLVED that the Lodi City Council does hereby approve the Improvement Agreement and Water Rights Agreement for 847 North Cluff Avenue, located at the southwest corner of Turner Road and Cluff Avenue, as shown on Exhibit A attached; and

BE IT FURTHER RESOLVED that the City Council hereby directs the City Manager and City Clerk to execute the Improvement Agreement and Water Rights Agreement on behalf of the City of Lodi.

Dated: July 7, 2004

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I hereby certify that Resolution No. 2004-130 was passed and adopted by the City Council of the City of Lodi in a regular meeting held July 7, 2004, by the following vote:

AYES: COUNCIL MEMBERS – Beckman, Howard, Land, and
Mayor Hansen

NOES: COUNCIL MEMBERS – None

ABSENT: COUNCIL MEMBERS – Hitchcock

ABSTAIN: COUNCIL MEMBERS – None



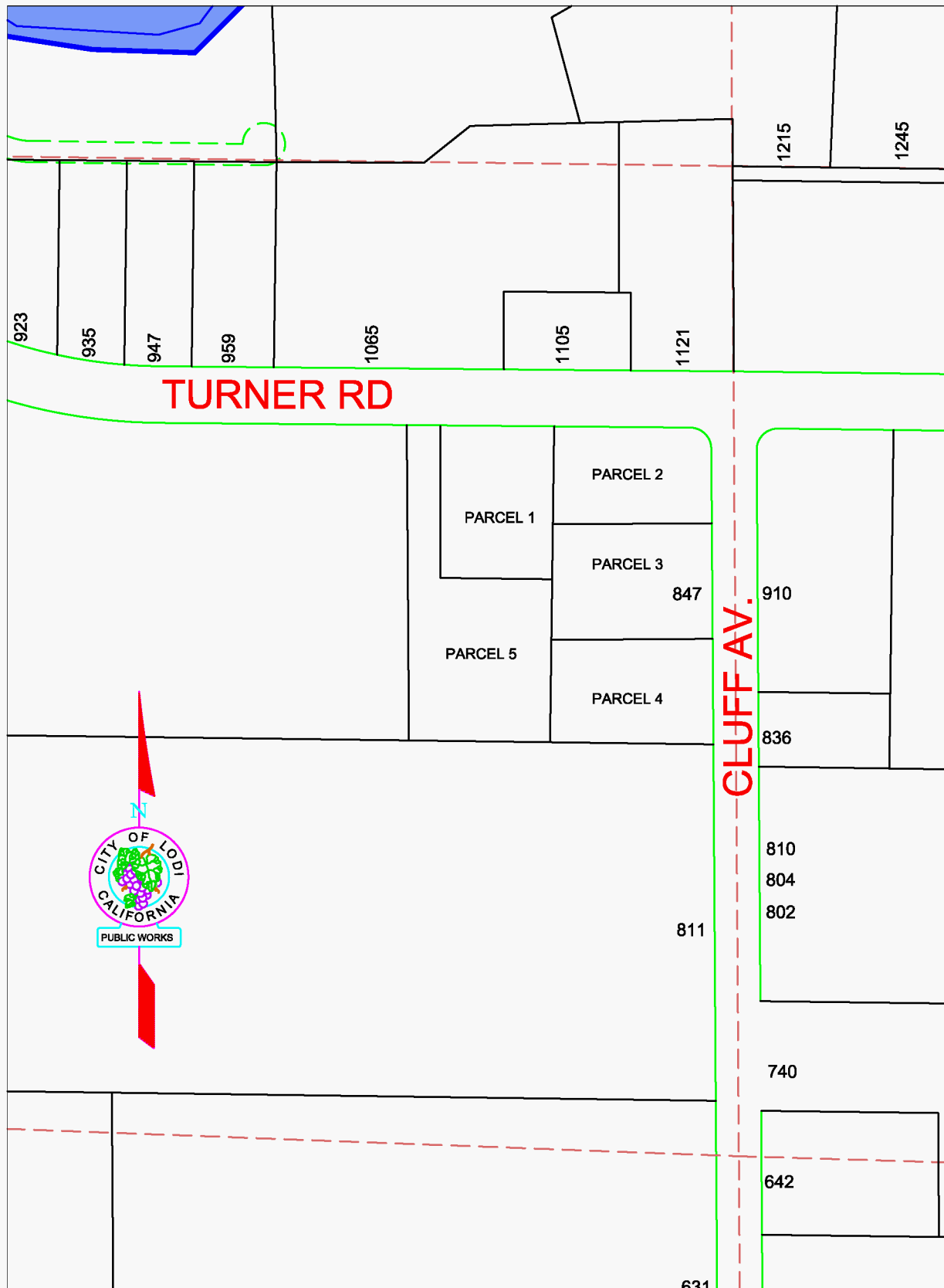
SUSAN J. BLACKSTON
City Clerk



CITY OF LODI

PUBLIC WORKS DEPARTMENT

EXHIBIT A



CITY COUNCIL

LARRY D. HANSEN, Mayor
JOHN BECKMAN
Mayor Pro Tempore
SUSAN HITCHCOCK
EMILY HOWARD
KEITH LAND

CITY OF LODI
PUBLIC WORKS DEPARTMENT

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H. DIXON FLYNN
City Manager
SUSAN J. BLACKSTON
City Clerk
D. STEVEN SCHWABAUER
Interim City Attorney
RICHARD C. PRIMA, JR.
Public Works Director

July 1, 2004

Bedrock C & B Ptp.
6464 Live Oak Road
Lodi, CA 95240

SUBJECT: Adopt Resolution Approving the Improvement Agreement and Water Rights Agreement for 847 North Cluff Avenue

Enclosed is a copy of background information on an item on the City Council agenda of Wednesday, July 7, 2004. The meeting will be held at 7 p.m. in the City Council Chamber, Carnegie Forum, 305 West Pine Street.

This item is on the consent calendar and is usually not discussed unless a Council Member requests discussion. The public is given an opportunity to address items on the consent calendar at the appropriate time.

If you wish to write to the City Council, please address your letter to City Council, City of Lodi, P. O. Box 3006, Lodi, California, 95241-1910. Be sure to allow time for the mail. Or, you may hand-deliver the letter to City Hall, 221 West Pine Street.

If you wish to address the Council at the Council Meeting, be sure to fill out a speaker's card (available at the Carnegie Forum immediately prior to the start of the meeting) and give it to the City Clerk. If you have any questions about communicating with the Council, please contact Susan Blackston, City Clerk, at 333-6702.

If you have any questions about the item itself, please call Lyman Chang, Associate Civil Engineer, at 333-6800, extension 2665.



for: Richard C. Prima, Jr.
Public Works Director

RCP/pmf

Enclosure

cc: City Clerk